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**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**  
Attorney Docket No. 5051.472

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled *HIGH EFFICIENCY GENE TARGETING IN PLANTS*,

the specification of which

☐ is attached hereto

OR

☒ was filed on 8 December 2000 as United States Application No. 09/733,869 or PCT

International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, §1.56, including material information that became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

None			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	Priority Claimed

**RECEIVED**  
**AUG 22 2002**  
**OFFICE OF PETITIONS**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

None	
Application Number(s)	Filing Date (MM/DD/YYYY)

Application Number(s)	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below.

None		
Appln. Serial No.	Filing Date	Status Patented/Pending/Abandoned

Appln. Serial No.	Filing Date	Status Patented/Pending/Abandoned

Appln. Serial No.	Filing Date	Status Patented/Pending/Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. I also appoint the following registered attorney(s) to represent me before all competent International Authorities in connection with any and all international

applications filed by me with an appropriate receiving office claiming priority to the U.S. application. I also appoint the following registered attorney(s) to make or receive payment on my behalf in connection with the filing of such international applications.

**Customer Number 20792**

Send correspondence to: USPTO Customer No. 20792  
Kenneth D. Sibley  
Myers Bigel Sibley & Sajovec  
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Raleigh, NC 27627

Direct telephone calls to: Kenneth D. Sibley  
(919) 854-1400

Facsimile: (919) 854-1401

Full name of first inventor: **Georgia L. Helmer**

Inventor's Signature: Georgia L. Helmer Date: 5/9/01

Residence: Youngsville, North Carolina

Citizenship: United States of America

Mailing Address: 120 Rolling Acres Road  
Youngsville, North Carolina 27596

Full name of second inventor: **George C. Allen**

Inventor's Signature: G. C. Allen Date: May 9, 2001

Residence: Raleigh, North Carolina

Citizenship: United States of America

Mailing Address: 2719 Cartier Drive  
Raleigh, North Carolina 27608

Full name of third inventor:

**William F. Thompson**

Inventor's

Signature:

*William F. Thompson*

Date:

*9th May 2001*

Residence:

Raleigh, North Carolina

Citizenship:

United States of America

Mailing Address:

1435 Duplin Road  
Raleigh, North Carolina 27614

# ASSIGNMENT RECORDATION FORM COVER SHEET

Patents Only

Assignment #9  
Copy

To the Honorable Commissioner of Patents and Trademarks:

August 15, 2002

Attorney Docket No. 5051-473

Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Georgia L. Helmer  
George C. Allen  
William F. Thompson



2. Name and address of receiving party(ies):

North Carolina State University  
2401 Research Drive  
Campus Box 8210  
Raleigh, North Carolina 27695-8210

Additional name(s) of conveying party(ies) attached? Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment  
☐ Merger  
☐ Security Agreement  
☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: May 9, 2001

Additional name(s) & address(es) attached? Yes ☒ No

4. Application Serial No. 09/733,869

Patent No.

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

Additional numbers attached? Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Customer Number 20792  
Kenneth D. Sibley  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00  
☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number: 50-0220

DO NOT USE THIS SPACE

9. Statement and signature

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Kenneth D. Sibley, Reg. 31,665

Name of Person Signing

Signature

August 15, 2002

Date

Total number of pages including cover sheet, attachments and document: 5

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AUG 22 2002

## ASSIGNMENT

THIS ASSIGNMENT, made by us, **Georgia L. Helmer**, a citizen of the United States of America, residing at 120 Rolling Acres Road, Youngsville, North Carolina 27596; **George C. Allen**, a citizen of the United States of America, residing at 2719 Cartier Drive, Raleigh, North Carolina 27608; and **William F. Thompson**, a citizen of the United States of America, residing at 1435 Duplin Road, Raleigh, North Carolina 27614;

WITNESSETH: That,

WHEREAS, we are joint inventors of certain new and useful improvements in **HIGH EFFICIENCY GENE TARGETING IN PLANTS** for which an application for United States Letters Patent has been filed in the United States Patent and Trademark Office on **December 8, 2000**, under Serial No. 09/733,869, and

WHEREAS, **North Carolina State University**, an educational institution having a principal place of business at 1 Holladay Hall, Campus Box 7003, Raleigh, County of Wake, State of North Carolina, hereinafter referred to as assignee, is desirous of acquiring our entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, our entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to bind our heirs, legal representatives, and assigns promptly to communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 9th day of May, 2001.

Georgia L. Helmer (SEAL)  
Georgia L. Helmer

STATE OF North Carolina  
COUNTY OF Wake ) ss:

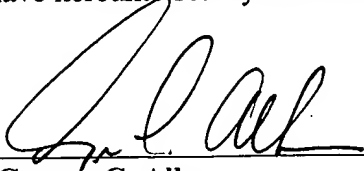
Before me personally appeared **Georgia L. Helmer**, to me known to be the person described in and who executed the foregoing instrument, and she acknowledged to me that she executed the same for the purposes therein stated, this 9th day of May, 2001.

Wendy Sue Lotfi  
Notary Public

SEAL

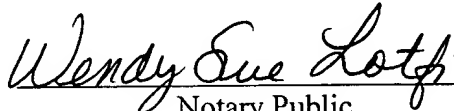
My Commission Expires: 9/13/05

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 9<sup>th</sup> day  
of May, 2001.

 (SEAL)  
George C. Allen

STATE OF North Carolina  
COUNTY OF Wake ) ss:

Before me personally appeared **George C. Allen**, to me known to be the person  
described in and who executed the foregoing instrument, and he acknowledged to me that he  
executed the same for the purposes therein stated, this 9<sup>th</sup> day of May, 2001.

  
Notary Public

SEAL

My Commission Expires: 9-13-05



IN WITNESS WHEREOF, I have hereunto set my hand and seal on this 9<sup>th</sup> day  
of May, 2001.

William F. Thompson (SEAL)  
William F. Thompson

STATE OF North Carolina )  
COUNTY OF Wake ) ss:

Before me personally appeared **William F. Thompson**, to me known to be the person  
described in and who executed the foregoing instrument, and he acknowledged to me that he  
executed the same for the purposes therein stated, this 9<sup>th</sup> day of May, 2001.

Wendy Sue Lotz  
Notary Public

SEAL

My Commission Expires: 9-13-05